

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

ENRIQUE BANUELOS,

Petitioner,

vs.

GREG SMITH, *et al.*,

Respondents.

3:11-cv-00896-LRH-VPC

**ORDER**

This action is a *pro se* petition for a writ of habeas corpus filed pursuant to 28 U.S.C. § 2254, by a Nevada state prisoner. The petition and attachments were received by the Court on December 15, 2011. (ECF No. 1). On November 26, 2012, petitioner filed a first amended petition. (ECF No. 16). By order filed January 28, 2013, this Court granted petitioner's motion for counsel and appointed the Federal Public Defender to represent petitioner in this action. (ECF No. 19). On February 27, 2013, Debra Bookout of the Federal Public Defender's Office appeared on behalf of petitioner. (ECF No. 20). The Court now sets a schedule for further proceedings in this action.

**IT IS THEREFORE ORDERED** that counsel for petitioner shall meet with petitioner as soon as reasonably possible, if counsel has not already done so, to: (a) review the procedures applicable in cases under 28 U.S.C. § 2254; (b) discuss and explore with petitioner, as fully as possible, the potential grounds for habeas corpus relief in petitioner's case; and (c) advise petitioner that all possible grounds for habeas corpus relief must be raised at this time in this action and that the failure to do so will likely result in any omitted grounds being barred from future review.

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1       **IT IS FURTHER ORDERED** that petitioner shall have **ninety (90) days** from the date of  
2 entry of this order, to **FILE AND SERVE** on respondents a second amended petition for writ of  
3 habeas corpus, which shall include all known grounds for relief (both exhausted and unexhausted).

4       **IT IS FURTHER ORDERED** that respondents shall have **thirty (30) days** after service of a  
5 second amended petition within which to answer, or otherwise respond to, the second amended  
6 petition. If petitioner does not file a second amended petition, respondents shall have **thirty (30)**  
7 days from the date on which the second amended petition is due within which to answer, or  
8 otherwise respond to, petitioner's first amended petition.

9       **IT IS FURTHER ORDERED** that if and when respondents file an answer, petitioner shall  
10 have **thirty (30) days** after service of the answer to file and serve a reply.

11       **IT FURTHER IS ORDERED** that any state court record exhibits filed by the parties herein  
12 shall be filed with an index of exhibits identifying the exhibits by number or letter. The CM/ECF  
13 attachments that are filed shall further be identified by the number or numbers (or letter or letters) of  
14 the exhibits in the attachment.

15       **IT IS FURTHER ORDERED** that the parties **SHALL SEND** courtesy (paper) copies of all  
16 exhibits presented in support of the amended petition and the response to the amended petition to the  
17 **Reno** Division of this Court. Courtesy copies shall be mailed to the Clerk of Court, 400 S. Virginia  
18 St., Reno, NV, 89501, and directed to the attention of "Staff Attorney" on the outside of the mailing  
19 address label.

20       Dated this 6th day of March, 2013.



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LARRY R. HICKS  
UNITED STATES DISTRICT JUDGE